

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on September 8, 2005, the following members were present:

Greg Jergeson, Chairman
Brad Molnar, Vice Chairman
Doug Mood, Commissioner
Robert H. Raney, Commissioner
Thomas J. Schneider, Commissioner

APPEARANCE

Scott Fabel
Utility Division

(340) In the matter of Qwest Services Corporation August 18, 2005 filed application for Commission approval of a Master Service Agreement (MSA) between Qwest and Starbucks Corporation dba Starbucks Coffee Company-Docket No. N2005.8.123:

Commissioner Schneider moved to approve the Qwest/Starbucks Master Service Agreement in Docket No. N2005.8.123. Commissioner Raney seconded the motion, which passed unanimously.

APPEARANCE

Wayne Budt, Administrator
Transportation & Centralized Services Division

(341) In the matter of Fred M. Zweifel dba Circle Z Enterprises, Virginia City, Montana request for permission to suspend PSC No. 9270 for a six month period, September 18, 2005 to March 15, 2006- Docket No. TN2274:

Commissioner Raney moved to approve the suspension as requested. Commissioner Mood seconded the motion, which passed unanimously.

(342) In the matter of Valet Limousine LLC, Missoula, Montana request for permission to suspend PSC No. 7172 for a six month period, August 24, 2005 to February 24, 2006- Docket No. TN2275:

Commissioner Mood moved to approve the suspension as requested. Commissioner Schneider seconded the motion, which passed unanimously.

(343) In the matter of the approval of Commission Minutes:

Commissioner Raney moved to approve the Commission Minutes for the week of August 29,

2005. Commissioner Molnar seconded the motion, which passed unanimously.

APPEARANCE

Kate Whitney, Administrator
Utility Division

(344) In the matter of the Commission's discussion of Qwest CLEC forum-Docket No. D2005.7.109:

Commissioner Raney moved to issue the notice of CLEC forum with the changes discussed relating to Qwest's personnel issues, the change of date and the agenda. Commissioner Schneider seconded the motion, which passed unanimously.

APPEARANCE

Al Brogan
Legal Division

(345) In the matter of the Commission's discussion of a Commission Investigation of Electricity Market Activity Affecting Retail Customers during the period 2000 through 2001- Docket No. D2004.2.21:

Commissioner Schneider moved that the Commission issue a notice of Commission Action in this matter clarifying that NorthWestern Energy has an ongoing responsibility to satisfy discovery propounded to date and complete its cooperation with the Attorney General's office on that discovery; the motion to extend the date for additional discovery is denied, and to clarify that based on the examination of existing discovery at the Attorney General's office may seek approval from the Public Service Commission of additional discovery if necessary. Commissioner Raney seconded the motion, which passed 4-1. Commissioner Molnar voted no.

(346) In the matter of the Commission's discussion of Havre Pipeline Company filed Motion to Compel Additional Responses to data requests submitted to Encore Acquisition- Docket No. D2005.4348:

Commissioner Schneider moved to deny Havre Pipeline Company's Motion to Compel and the motion to strike. Commissioner Raney seconded the motion, which passed unanimously.

APPEARANCE

Martin Jacobson
Legal Division

(347) In the matter of the Commission's discussion of the Public Service Commission Investigation of Qwest federal USF expenditures- Docket No. D2005.6.105:

Commissioner Schneider moved to set oral argument for Qwest's Motion for Reconsideration and objections to that request and that NCA advise them that the Commission would, following oral argument, resolve the issues, and that staff's drafts on these matters be made available to Qwest in advance of the oral argument. The motion died for lack of a second.

Commissioner Raney moved to schedule oral argument on Qwest's Motion for Reconsideration and data requests in D2005.6.105. Commissioner Jergeson seconded the motion, which passed unanimously.

APPEARANCE

David Burchett, Utility Division
Robin McHugh, Administrator Legal Division

(348) In the matter of the Commission's discussion of Mountain Water Company's proposed general rate increase- Docket No. D2005.4.49:

Commissioner Mood moved to approve the Interim Order in Docket No. D2005.4.49. Commissioner Schneider seconded the motion, which passed unanimously.

APPEARANCE

Wayne Budt, Administrator Transportation/ Centralized Services Division
Kate Whitney, Administrator Utility Division
Robin McHugh, Administrator Legal Division

(349) In the matter of the Commission's discussion of budget/ personnel/ case management:

Commissioner Raney moved to approve the budget modifications indicated through Recommendation #4 with the change in recommendation #4 to \$25,000. (See budget modifications sheet attached to hard copy of minutes). Commissioner Mood seconded the motion, which passed unanimously.

Commissioner Raney moved that the recommended effective date for Al Brogan's previously approved increase be moved to September 17, 2005. Commissioner Molnar seconded the motion, which passed unanimously.

Commissioner Raney moved to grant authority to move the attorneys to the broadband pay plan as long as current compensation is not affected. Commissioner Jergeson seconded the motion, which was withdrawn by Commissioner Jergeson. The issue will be revisited at a later work session.

There being no further business to come before the Commission the meeting was adjourned.

GREG JERGSON, Chairman

BRAD MOLNAR, Vice Chairman

DOUG MOOD, Commissioner

ROBERT H. RANEY, Commissioner

THOMAS J. SCHNEIDER, Commissioner

ATTEST:

Connie Jones
Commission Secretary

(SEAL)